

IN RE: PETITION FOR VARIANCE
W/S Cedar Creek Road, 620' N
of the c/l of Holly Neck Road
(1108 Cedar Creek Road)
15th Election District
5th Councilmanic District

Douglas L. Martin, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-413-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Variance for that property known as 1108 Cedar Creek Road, located in the vicinity of Silver Road in Holly Neck. The Petition was filed by the owners of the property, Douglas L. and Leona Martin, and the Contract Purchaser, Edmund L. Welsh, Jr. The Petitioners seek relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 30 feet in lieu of the required 50 feet, and a street centerline setback of 50 feet in lieu of the required 75 feet, for a proposed dwelling. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing on behalf of the Petition was Edmund L. Welsh, Jr., Contract Purchaser. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property consists of 0.344 acres, more or less, zoned R.C.5, and is presently unimproved. The Petitioners have entered into a contract to sell the property to Mr. Welsh who is desirous of developing the site with a single family dwelling. Testimony indicated that the rear of the subject lot is heavily wooded and in order to preserve this forest area, the Petitioner

ORDER RECEIVED FOR FILING

Date

By

proposes to situate the house further towards the front of the property. However, in order to do so, the requested variances are necessary.

This property was the subject of prior Case No. 96-374-A in which the Petitioners and Mr. Welsh were granted a variance to side setback requirements and permission to develop the subject property, which is an undersized lot, on May 13, 1996. It was noted at that hearing that the subject property was purchased by the Martins in the 1960s and was now zoned R.C.5. Further testimony in that case revealed that the Petitioner had submitted elevation drawings of the house they proposed to build and that they had received approval from the various Baltimore County reviewing agencies.

In the instant case, the Petitioner merely seeks approval to move the proposed dwelling further forward on the lot to preserve the wooded area to the rear of his property. As indicated in the comments submitted by Bruce Seeley, a representative of the Department of Environmental Protection and Resource Management (DEPRM), his agency approves the requested variance in that it will minimize impacts to the existing forest to the rear of this property. In view of these findings and the fact that approvals were previously granted for the proposed development of this lot with a single family dwelling, I am persuaded to grant the variance.

In the opinion of this Deputy Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and will not result in any detriment to the health, safety, or general welfare of the surrounding community.

The facts and evidence presented have established that special conditions or circumstances exist which are peculiar to the subject proper-

ORDER RECORDED FOR PLANS
5/17/97
Date
By

ty which is located within the Chesapeake Bay Critical Areas of Baltimore County and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. Furthermore, the relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

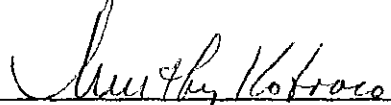
These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is

compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of May, 1997 that the Petition for Variance seeking relief from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 30 feet in lieu of the required 50 feet, and a street centerline setback of 50 feet in lieu of the required 75 feet, for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) Compliance with the recommendations submitted by DEPRM in their Zoning Plans Advisory Committee comments, due dated April 29, 1997, a copy of which has been forwarded to Mr. and Mrs. Welsh.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECORDED FOR FILING
Date 5/7/97
by [signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

May 7, 1997

Mr. & Mrs. Douglas L. Martin
9016 Hines Road
Baltimore, Maryland 21234

RE: PETITION FOR VARIANCE
W/S Cedar Creek Road, 620' N of the c/l of Holly Neck Road
(1108 Cedar Creek Road)
15th Election District - 5th Councilmanic District
Douglas L. Martin, et ux - Petitioners
Case No. 97-413-A

Dear Mr. & Mrs. Martin:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Edmund L. Welsh, Jr.
6238 Radecke Avenue, Baltimore, Md. 21206

Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM; People's Counsel

Case File

RE: PETITION FOR VARIANCE	*	BEFORE THE
1108 Cedar Creek Rd, W/S Cedar Creek Rd,		
620' N of c/l Holly Neck Road	*	ZONING COMMISSIONER
15th Election District, 5th Councilmanic		
	*	OF BALTIMORE COUNTY
Legal Owner(s): Douglas and Leona Martin		
Contract Purchaser: Edmund L. Welsh, Jr.	*	CASE NO. 97-413-A
Petitioners		
* * * * *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of May, 1997, a copy of the foregoing Entry of Appearance was mailed to Legal Owners Douglas and Leona Martin, 9016 Hines Road, Baltimore, MD 21234, and to Contract Purchaser Edmund L. Welsh, Jr., 6238 Radecke Avenue, Baltimore, MD 21206, Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

97-413-A

1108 Cedar Creek Rd

which is presently zoned

R.C. 5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

Section 1-A04-3.B.3 to make Front Setback 30'
in lieu of required 50' and a street centerline setback
of 50' in lieu of 75'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

To minimize disturbance of forest in C.B.A.
AND to aid in acquiring C.B.A. ADMINISTRATIVE
VARIANCE in order to build a single family dwelling

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

EDMUND L. WELSH, Jr

(Type or Print Name)

Edmund L. Welsh, Jr.

Signature

6238 Radecke Ave

Address

Baltimore MD 21206

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s):

Douglas L. MARTIN

(Type or Print Name)

Douglas L. Martin

Signature

LEONA MARTIN

(Type or Print Name)

Leona C. Martin

Signature

9016 HINES Rd

Address

410-256-1755

Phone No

Baltimore MD

City

State

21234

Zipcode

Name, Address and phone number of representative to be contacted.

EDMUND L. Welsh Jr

Name

6238 Radecke Ave 410-866-8921

Address

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: mjk

DATE

3/26/87

Printed with Soybean Ink
on Recycled Paper



ORDER RECEIVED FOR FILING

Date

By

413

97-413-A

ZONING DESCRIPTION FOR 1108 CEDAR CREEK ROAD

Beginning at a point on the West side of Cedar Creek Road which is 40 feet wide at the distance of 620 feet North of the centerline of the nearest improved intersecting street Holly Neck which is 30 feet wide. Being Lots 270-273 in the subdivision of Cedar Beach as recorded in Baltimore County Plat Book 7 Folio 186 containing 0.344 acres +. Also known as 1108 Cedar Creek Road and located in the 15th Election District, 5th Councilmanic District.

No.

DATE 3/26/97 ACCOUNT 01-615

$\Gamma_{3Y} = 225X$

AMOUNT \$ 50.⁰⁰

RECEIVED
FROM: _____

RECEIVED FROM: Edmund Welch - 1168 Cedar Crest Pl.

FOR:

310-R15 Var. - \$50.00

01AD03009045CHRC
BA 60095286H03 26 27

7500, 7501

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

NOTES: 1. Access
2. Accommodate

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case #97-413-A
1108 Cedar Creek Road
W/S Cedar Creek Road 620' N
of 61 Hwy Neck Road

15th Election District

30th Councilmanic

Legal Owner(s):

Douglas L. Martin and Leona

Martin

Contract Purchaser:

Edmund L. Welsh, Jr.

Variance: to make front setback 30 feet in lieu of the required 50 feet and a street centerline setback of 50 feet in lieu of 75 feet.

Hearing: Wednesday, May 7, 1997 at 10:30 a.m., 4th floor hearing room, Courts Bldg., 401 Basile Avenue.

LAWRENCE E. SCHAUDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Call 887-3353.

(2) For information concerning the File and/or Hearing, Please Call 887-3391.

4/19/90 April 10 C134013

CERTIFICATE OF PUBLICATION

TOWSON, MD., April 10, 1997

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on April 10, 1997.

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

A. H. Erickson

CERTIFICATE OF POSTING

RE: Case # 97-413-A

Petitioner/Developer:
(Edmund Welsh)
Date of Hearing/Closing:
(May 7, 1997)

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

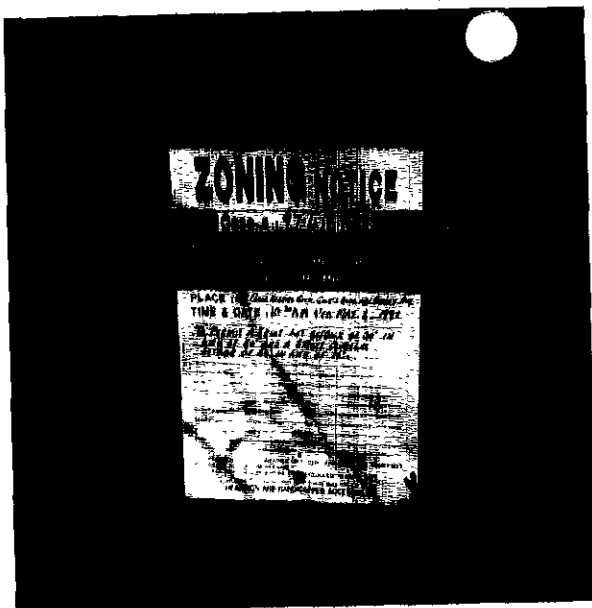
Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

____ 1108 Cedar Creek Road , Baltimore, Maryland 21221 _____

The sign(s) were posted on _____ April 22, 1997 _____
(Month, Day, Year)



Sincerely,

Thomas P. Ogle, Sr.
(Signature of Sign Poster & Date)

____ Thomas P. Ogle, Sr. _____
(Printed Name)

____ 325 Nicholson Road _____
(Address)

____ Baltimore, Maryland 21221 _____

____ (410)-687-8405 _____
(Telephone Number)

97-413-A



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 413 Petitioner: Edmund L. Welsh, Jr.

Location: 1108 Cedar Creek Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: EDMUND L. WELSH, JR

ADDRESS: 6238 RADECKE AVE

BALTIMORE MD 21206

PHONE NUMBER: 410-866-8921



Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book # _____, folio # _____, lot # _____, section # _____

OWNER: _____



North

date: _____
prepared by: _____

Scale of Drawing: 1"= _____



Vicinity Map
scale: 1"=1000'

LOCATION INFORMATION

Election District: _____

Councilmanic District: _____

1"=200' scale map#: _____

Zoning: _____

Lot size: _____
acreage square feet

SEWER: ☐ public ☐ private
WATER: ☐ ☐

Chesapeake Bay Critical Area: ☐ yes ☐ no
Prior Zoning Hearings: _____

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

Request for Zoning Varianced, Special Exception, or Special Hearing

413

Date to be Posted: Anytime before but no later than *

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: _____

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: *

DATE AND TIME: *

REQUEST: *to permit a front lot setback of 30 ft. in
lieu of 50 ft and a street centerline setback of 50 ft in
lieu of 75 ft.*

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

TO: PUTUXENT PUBLISHING COMPANY
April 10, 1997 Issue - Jeffersonian

Please forward billing to:

Edmund L. Welsh, Jr.
6238 Radecke Avenue
Baltimore, MD 21206
866-8921

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-413-A
1108 Cedar Creek Road
W/S Cedar Creek Road, 620' N of c/l Holly Neck Road
15th Election District - 5th Councilmanic
Legal Owner(s): Douglas L. Martin and Leona Martin
Contract Purchaser: Edmund L. Welsh, Jr.

Variance to make front setback 30 feet in lieu of the required 50 feet and a street centerline setback of 50 feet in lieu of 75 feet.

HEARING: WEDNESDAY, MAY 7, 1997 at 10:30 a.m., 4th floor hearing room, Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

April 7, 1997

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-413-A
1108 Cedar Creek Road
W/S Cedar Creek Road, 620' N of c/l Holly Neck Road
15th Election District - 5th Councilmanic
Legal Owner(s): Douglas L. Martin and Leona Martin
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Variance to make front setback 30 feet in lieu of the required 50 feet and a street centerline setback of 50 feet in lieu of 75 feet.

HEARING: WEDNESDAY, MAY 7, 1997 at 10:30 a.m., 4th floor hearing room, Courts Bldg., 401 Bosley Avenue.

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with a large initial "A" and a long, sweeping underline.

Arnold Jablon
Director

cc: Douglas and Leona Martin
Edmund L. Welsh, Jr.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY APRIL 22, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 6, 1997

Mr. and Mrs. Douglas Martin
9016 Hines Road
Baltimore, MD 21234

RE: Item No.: 413
Case No.: 97-413-A
Petitioner: Douglas Martin, et ux

Dear Mr. and Mrs. Martin:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 26, 1997.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in dark ink, reading "W. Carl Richards, Jr.", is written over a circular stamp. The stamp contains the text "W. Carl Richards, Jr." and "Zoning Supervisor".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



_____ Attach original petition

Due Date 4/29/97

To: Arnold L. Jablon

From: Bruce Seeley *BS/ep*

Subject: Zoning Item #413

Martin 1108 Cedar Creek Road

Zoning Advisory Committee Meeting of April 7, 1997

_____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

_____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

_____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

_____ Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).

X Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

X Applicants have applied for a Chesapeake Bay Critical Area variance, which must be obtained in order to construct the dwelling as proposed. We are in support of the proposed zoning variance as it is minimizing impacts to the existing forest.

c: Mr. and Mrs. Welsh



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County 4.4.97
Item No. 413 MJK

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

L. J. Gredlein
for Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: April 14, 1997

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: 1108 Cedar Creek Road

INFORMATION

Item Number: 413
Petitioner: Martin Property
Zoning: RC-5
Requested Action: Variance

Summary of Recommendations:

The Planning Office does not support the variance request to allow a front yard setback of 30 feet in lieu of the required 50 feet and a streetline setback of 50 feet in lieu of the required 75 feet.

The purpose of the extension of public sewer to this area of the Back River Neck Peninsula, as stated in the 1989-2000 Master Plan, is to serve existing dwellings and not facilitate new development. Therefore, the Planning Office is opposed to variance requests for undersized lots on land zoned RC-5 on the Back River Neck Peninsula.

Prepared by:

Jeffrey W. Los

Division Chief:

Gary L. Kerns


AFK/JL

B A L T I M O R E C O U N T Y, M A R Y L A N D

I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: April 14, 1997

FROM:  Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for April 14, 1997
 Item Nos. 410, 411, 413, 416, 417, 422, 423 and 424

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:cab

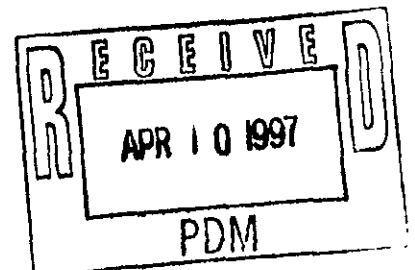
cc: File

ZONE414.NOC

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500



Office of the Fire Marshal
(410) 887-4880

April 9, 1997

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

Re: Property Owner: SEE BELOW
Location: DISTRIBUTION MEETING OF April 7, 1997

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

410, 412, 413, 415, 416, 420, and 424

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MC-1102F

cc: File



PETITION PROBLEMS

#411 --- JLL

1. No sign form in folder (see note in folder).
2. No review information on bottom of petition form.

#413 --- MJK

1. Sign form is incorrect/incomplete.

#415 --- MJK

1. Need authorization for person signing for legal owner.
2. Need printed or typed name of person signing for contract purchaser.
3. Need printed or typed title of person signing for contract purchaser.
4. Need authorization for person signing for contract purchaser.

#416 --- JRA

1. Wrong sign form used.

#417 --- MJK

1. Sign form is incorrect/incomplete.
2. Need title of person signing for legal owner.
3. Need authorization for person signing for legal owner.

#418 --- JLL

1. No sign form in folder (see note in folder).

Michael J. Moran

Attorney at Law
401 Allegheny Avenue
Towson, Maryland 21204
(410) 828-4800
FAX (410) 337-0916

8/8/97
g

97-4130

August 6, 1997

Ms. Gwen Stephens
Baltimore County Department of
Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

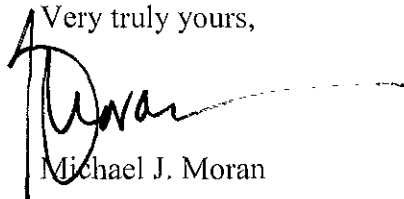
RE: Peter Kahl

Dear Gwen:

When we last spoke about a hearing date for the captioned matter, you said that the month of September was available and that there were apparently no restrictions on any dates. Because of the difficulty we have experienced in settling upon an agreed date for the hearing, I suggested that I would provide you with a date in September as opposed to your providing me with alternative dates.

I would like to suggest that you set the matter in for a full day hearing on Monday, 22 September 1997. Mr. Pittler has previously advised that there did not appear to be any time in September when he could not attend this hearing and I am attempting, by facsimile of this letter, to confirm this date with him. However, in light of his prior representations, I would request that you set the matter in for that date with the understanding that if Mr. Pittler has encountered a conflict or other problem with that date that we will cooperate with him in order to resolve that problem, if it should arise.

Very truly yours,



Michael J. Moran

MJM/jd

CC:

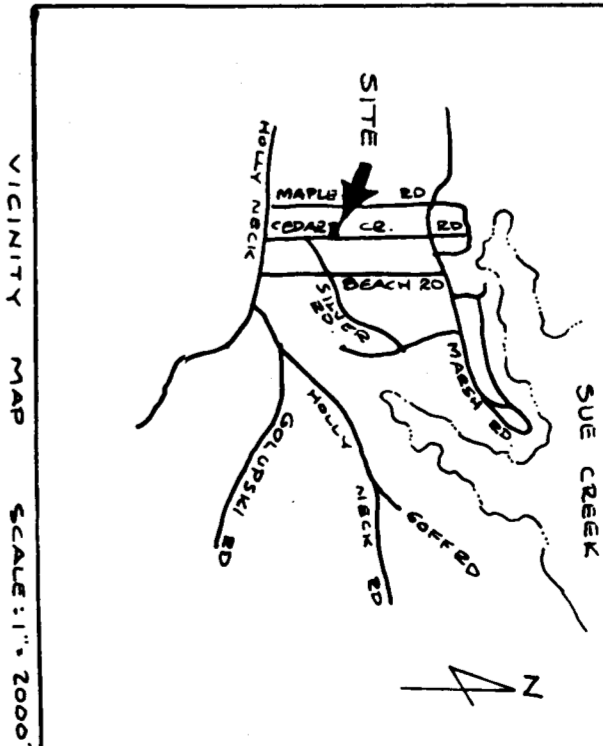
Mr. Peter Kahl
Leslie M. Pittler, Esquire

NOTES

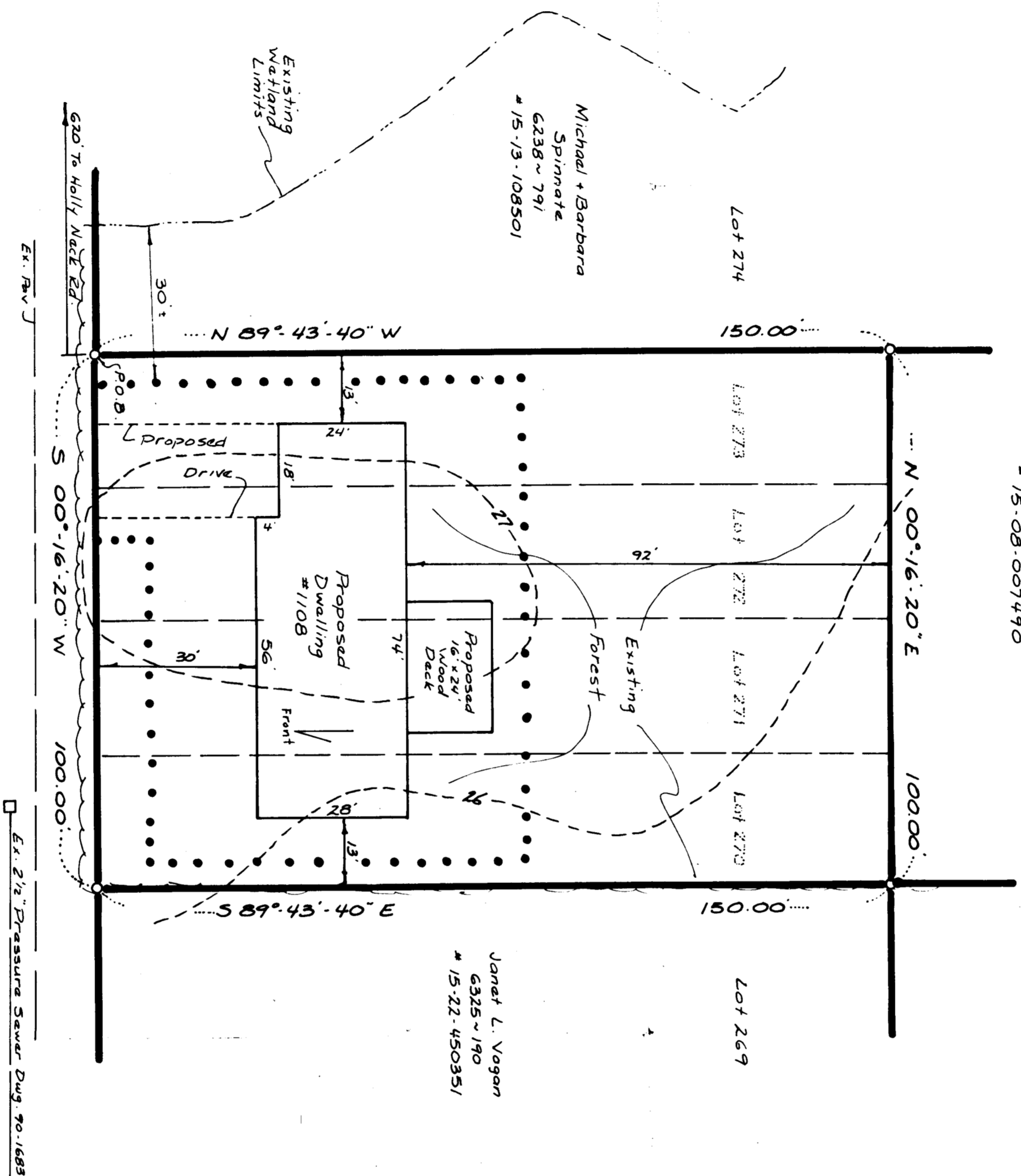
1. Present Owner: Douglas + Leona Martin
6015 Spinnaker Dr.
Baltimore, MD 21224
Tel. (410) 284-6959 208-17-15T
2. Total acreage: 15000 sq. ft. 0.344 ac. ±
3. Tax. Act. NO. 15-13-208710
4. Present zoning R.C. 5 (Map S.E. 2J)
5. Councilmatic Dist. - 5
6. Regional Planning Dist. - 328
7. Census Tract - 4510
8. Property has existing sewer & water.
9. School Dist. - 142
10. Tax Map 105 Grid 1 Parcel 245
11. Dead Ref. 5022 ~ 142
12. Plat Ref. 07 ~ 186
13. This property lies in Critical Bay Area
14. Impervious surface allowed 5750 sq. ft. 25.7%
15. Proposed area of disturbance 6600 sq. ft. 44.7%
16. ●●●●● Delineates Limits of Disturbance
17. Zoning History: Case No. 92-3179
Permit was issued for the site
setbacks 0 to 100' of the required
50 feet Date of ruling 5-13-96
Petitioner must:
- 1) Minimize adverse impacts on water quality
that result from pollutants that are
discharged from structures or conveyances
or that have run off from surrounding lands.
- 2) Conserve fish, wildlife, and plant habitat.
- 3) Be consistent with established land use
policies for development in the Chesapeake
Bay Critical Bay Area which accommodate
growth and also address the fact that, even
if pollution is controlled, the number,
movement and activities of persons in that
area can create adverse environmental
impacts.
18. Chesapeake Bay Critical Area Administrative
Variance has been applied for.
19. Large trees in area of disturbance to
remain where possible.

B.C.M.D. NORTH

Dallas Waddell
5439 ~ 900
- 15-08-007490



VICINITY MAP SCALE: 1" = 2000'



Ex. 8" Water Dwg. # 66-702

Ex. 24"

Ex. 2 1/2" Pressure Sewer Dwg. 70-1685

CEDAR CREEK RD. (40 R/W)

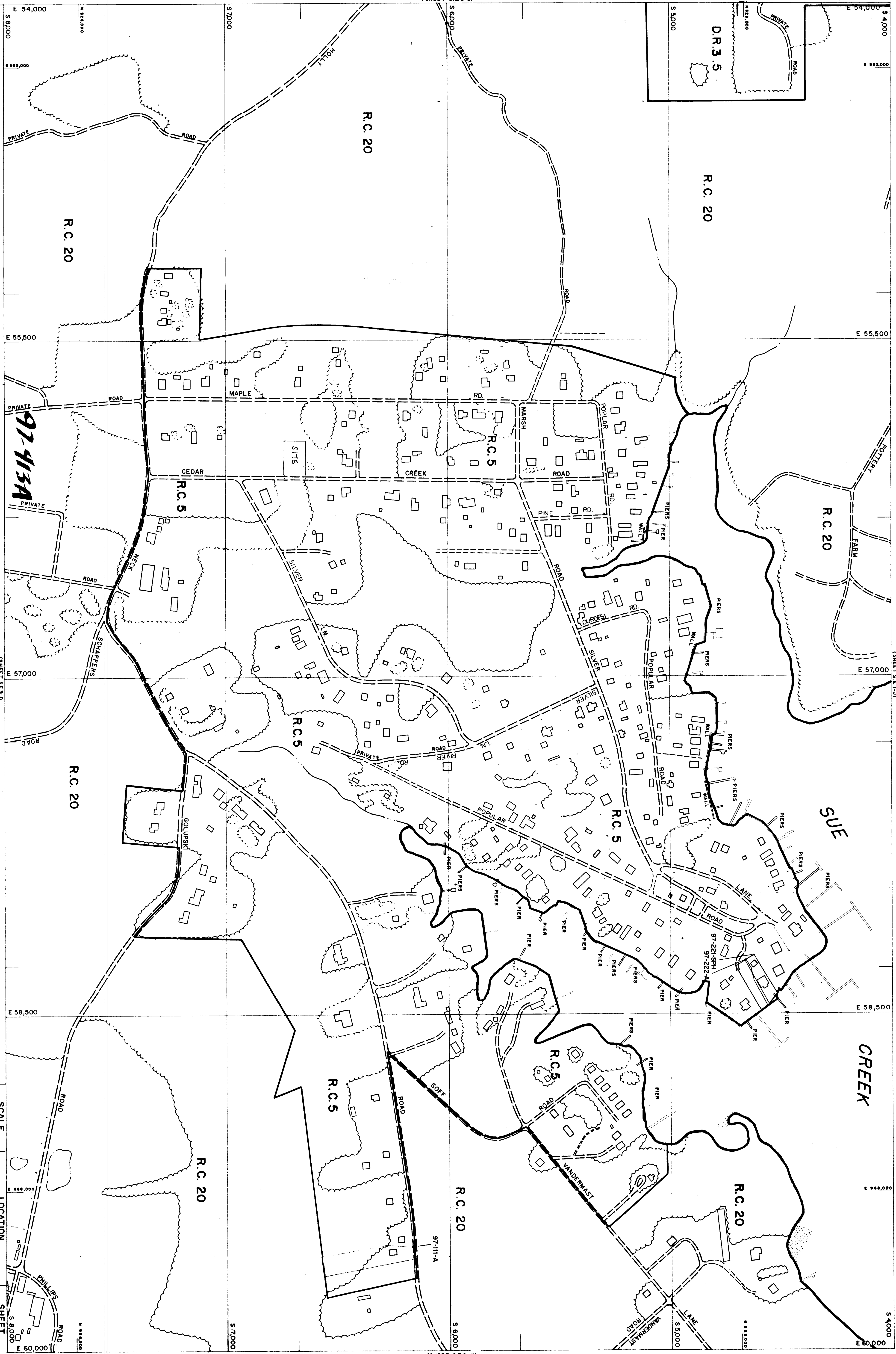
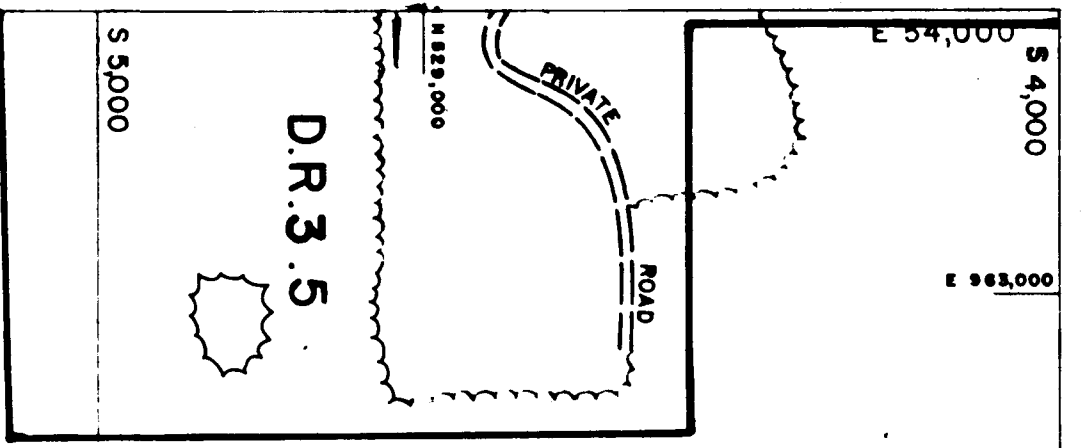
97-413-A

413

PLAT TO ACCOMPANY PETITION
FOR ZONING VARIANCE

1108 CEDAR CREEK RD.
15TH ELEC. DIST. BALTO. CO. MD.
SCALE: 1" = 20' MAR. 1997

Drawn: L.B.



THIS MAP HAS BEEN REVISED IN SELECTED AREAS
TO REFLECT CHANGES IN ZONING
BY DUCHART-HORN, INC. BALTIMORE, MD 21210

1996 COMPREHENSIVE ZONING MAP
COMPILED BY
DUCHART-HORN, INC.
BILB Nos. 129-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96
Kenneth Kennedy
Chairman, County Council

4/3
BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE 1" = 200'	LOCATION HOLLY NECK	SHEET 2-J
DATE OF PHOTOGRAPHY JANUARY 1986		